

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NORMA FIORENTIO, <i>et al.</i> ,)	CASE NO. 3:09-CV-02283-JEJ
)	
Plaintiffs,)	District Judge John E. Jones III
)	
v.)	
)	
CABOT OIL AND GAS)	
CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	

PLAINTIFFS' MOTION TO COMPEL DISCOVERY

NOW COME Plaintiffs Norma Fiorentino, et al., (“plaintiffs”), by and through their counsel, Napoli Bern Ripka Shkolnik & Associates, LLP, and hereby move this Court to compel discovery, and in support thereof, aver as follow:

1. As explained more fully in the Brief in Support of this Motion, which is incorporated herein by reference, defendant Cabot Oil and Gas Corporation (“Cabot”) has deprived plaintiffs of copies of certain documents or electronically stored information (“ESI”) that plaintiffs’ are entitled to.

2. Specifically, plaintiffs have requested that defendant Cabot Oil and Gas Corporation (“Cabot”) produce: (i) complete and unedited videotape(s) taken by Cabot or Cabot’s consultant, attorney, agent, partner, investigator, associate, employee or representative during the water

sampling in Susquehanna County, PA conducted on August 4, 201; and (ii) complete and unedited videotape(s) taken by Cabot or Cabot's consultant, attorney, agent, partner, investigator, associate, employee or representative during the water sampling in Susquehanna County, PA conducted on September 1, 2011.

3. On December 13, 2011, plaintiffs served a Request for Production of Documents upon Cabot's designated counsel seeking the videotape(s) referenced in paragraph 2, above.

4. On January 12, 2012, Cabot's designated counsel responded to plaintiffs' request without producing the requested videotape(s).

5. On January 13, 2012, plaintiffs' and Cabot's counsel engaged in a telephone conference with Special Master Walsh concerning several outstanding discovery issues.

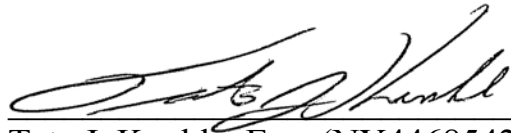
6. At this January 13, 2012 conference, plaintiffs were instructed to make the instant motion if Cabot continued to deny plaintiffs' requests for production of the videotape(s) referenced in paragraph 2, above.

WHEREFORE, plaintiffs respectfully request the Court grant their Motion to Compel Discovery, and enter an Order in the form of the Proposed Order attached to the Declaration of Tate J. Kunkle as Exhibit "A."

Date: January 24, 2012

Respectfully submitted,

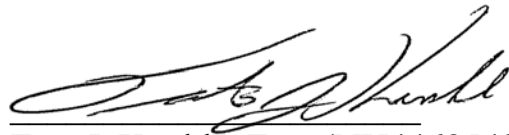
NAPOLI BERN RIPKA SHKOLNIK &
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Attorneys for Plaintiffs

A handwritten signature in black ink, appearing to read "Tate J. Kunkle", is written over a horizontal line.

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CERTIFICATE OF NON-CONCURRENCE AND CONFERENCE

Pursuant to Local Rule 26.3 and Fed. R. Civ. P. 37(a)(1), I hereby certify that I have sought concurrence in this Motion from defendants and that concurrence has been denied. I also hereby certify that plaintiffs have in good faith conferred with defendants in an effort to obtain the requested discovery without court action and those efforts have been denied.

A handwritten signature in black ink, appearing to read "Tate J. Kunkle", is written over a horizontal line.

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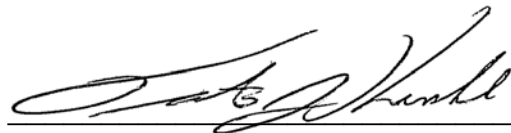
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CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2012, I electronically filed the foregoing **PLAINTIFFS' MOTION TO COMPEL DISCOVERY** with the Clerk of the Court using CM/ECF system, which will send notification of such filing to all registered users, including defendants. I additionally served defendants via electronic mail:

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